

RR	Residential/Rural Zone	3-11-93
W	Wetland Conservation District	3-6-73
WP	Watershed Protection District	3-2-76

## **Section 2-2 Zoning Map**

The several districts provided for in Section 2-1 above, shall be bounded as shown on tax map overlays of the Town of Amherst, New Hampshire and by the Flood Plain Conservation District overlay and the Wetlands Conservation District overlay, the Aquifer Conservation District, together with the Historic District overlay, and all amendments and explanatory matter thereon, which is hereby declared to be a part of the Zoning Ordinance. As amended (3-11-80/3-13-84) 3-14-89

## **Section 2-3 Interpretation of Zoning District Boundary Lines**

The zoning district boundary lines, as shown on tax map overlays are the center lines of streets and other public ways, the middle of the channel of waterways, or the center line of main tracts of railroad lines, unless otherwise indicated. Where the zoning district boundaries are so indicated that they parallel the center lines of streets and other public rights-of-way, such boundaries shall be interpreted as parallel thereto. Where an uncertainty exists as to the location of a boundary, the Board of Adjustment shall determine the exact line. 3-12-63

# **ARTICLE III**

## **GENERAL ZONING PROVISIONS**

### **Section 3-1 Nuisance Provision**

Any use or other establishment that may be injurious or obnoxious because of the production or emission of smoke, fumes, dust, odor, refuse material, noise, vibration, radiation or like condition, or that endangers the health, safety, peace or enjoyment of the community, or tending to its disturbance or annoyance is prohibited. 3-11-63

### **Section 3-2 Non-conforming Uses and Non complying Setbacks**

A. A pre-existing non-conforming use of land or structures may be continued although such use does not conform to the provisions of this Ordinance. Structures containing preexisting non-conforming uses may be enlarged or extended subject to the following:

1. If the conduct of the property owner is such that it will not substantially change the nature and the purpose of the original use and,

2. The proposed change would involve no substantially different impact on the neighborhood. (3-6-73) (3-9-82) (3-14-89) 3-11-93

B. A non-conforming use may be changed only to a use permitted in the district in which it is located. A permit is required for any change of use. (See Use Groups, Section 3-10) (3-6-73) 3-14-89

C. If a structure contains a non-conforming use and it is damaged by fire, flood, wind, or act of God, such structure may be reconstructed and used as before, provided such reconstruction is commenced within eighteen (18) months. (3-6-73) 3-14-89

D. A structure which does not comply with zoning setbacks may be repaired or structurally altered provided the repairs or alterations do not increase the degree of non-compliance. (3-6-73) 3-14-89

E. Structures which do not comply with zoning setbacks, when demolished for new construction, may be reconstructed where located before, providing there is no increase in non-compliance. 3-14-89

F. Existing conforming lots shall not be made non-conforming and existing non-conforming lots shall not be made more non-conforming by altering lot lines. 3-14-89

G. A non-conforming use which has been abandoned, vacated or discontinued for a period of 18 consecutive months, said non-conforming use shall be discontinued.

### **Section 3-3 Water Pollution Control Regulations**

A. Water pollution control requirements shall be those required by laws and regulations of the State of New Hampshire as well as local ordinances. (3-6-73) 3-14-89

NOTE: See Section G for Water Pollution Control Regulations

### **Section 3-4 Signs 3-12-91**

#### **I. DEFINITIONS**

**Awning** Any visual message incorporated into an awning attached to a building.

**Banner** Any sign, painted, printed or otherwise displayed on cloth, plastic film or similar material. 3-8-94